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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 272/2025**

ANAMIKA

.....Petitioner

Through: Mr. Vishnu Deo Yadav, Advocate.

versus

TRANSPORT DEPARTMENT AND ANOTHERRespondent

Through: Mr. Sameer Vashisht, Standing
Counsel, GNCTD with Ms. Astha Gupta,
Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

10.01.2025

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CM APPL. 1327/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 272/2025 and CM APPL. 1328/2025

3. By this writ petition under Article 226 of the Constitution of India, Petitioner challenges the seizure memo dated 13.11.2024 and seeks a direction to the Respondents to release her vehicle bearing No. DL-1CJ-6249.
4. The vehicle of the Petitioner was seized by Respondent No. 1 on 13.11.2024 being a petrol vehicle more than 15 years old falling within the definition of 'End-of-Life' vehicle under the Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility) Rules, 2021. Counsel for the Petitioner submits that the vehicle be released as the same has not so far



been scrapped and Petitioner undertakes to file an affidavit as per norms that she will neither ply nor park the vehicle in any public place within the territory of NCT of Delhi and will transport the vehicle outside the territorial boundary of NCT of Delhi after a No Objection Certificate ('NOC') is granted by GNCTD. It is submitted that this Court has passed similar directions in several matters and illustratively relies on the order passed in ***Jagdish Chander Suneja v. Transport Department (Govt. of NCT of Delhi), W.P. (C) No. 14071/2023***, decided on 30.10.2023.

5. Mr. Sameer Vashisht, learned Standing Counsel for GNCTD submits that the vehicle in question has not been scrapped and Respondent No. 1 has no objection to the release of the vehicle subject to the Petitioner furnishing an undertaking that she will neither ply nor park the said vehicle in any public space within the territory of NCT of Delhi and will remove the same from territory of NCT of Delhi within two weeks from the date of release.

6. There is no dispute between the parties that several writ petitions on the issue arising in the present writ petition have been disposed of by this Court directing release of vehicle subject to certain conditions, including a batch of writ petitions in ***Seema Chopra v. Govt. of NCT of Delhi and Others, 2023 SCC OnLine Del 8687***. Vehicle of the Petitioner was seized as it was a petrol vehicle more than 15 years old and comes under the definition of 'End-of-Life' vehicle under the Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility) Rules, 2021. Owner of a vehicle is permitted to make an application for release of the vehicle in terms of 'Guidelines for Handling End of Life Vehicles in Public Places of Delhi, 2024' dated 20.02.2024 ["the Policy"] read with 'Standard Operating Procedure for Releasing End of Life Vehicle' dated 21.10.2024 ["SoP"].



Petitioner has filed an application for release of the vehicle with Respondent No. 1, copy of which has been appended to the writ petition but the vehicle has not been released. In view of the judicial precedents, this writ petition is disposed of with the following directions:-

- (a) Petitioner shall attend the office of Transport Department (Scrapping Cell) on 14.01.2025 at 11:30 AM with the necessary documents including an affidavit of undertaking that if the vehicle is released to her, she will neither ply nor park the vehicle bearing No. DL-1CJ-6249 in any public space within the territory of NCT of Delhi and will remove the same from NCT of Delhi within two weeks from the date of release;
- (b) If the Department is satisfied with the affidavit of undertaking and the requisite documents so furnished, steps will be taken to release the vehicle within one week;
- (c) Petitioner will remove the vehicle within two weeks from the date of release of the vehicle from the territory of NCT of Delhi and will file an affidavit thereafter within one week before the concerned Department stating that the vehicle has been removed;
- (d) Petitioner may apply for issuance of NOC for transport of vehicle outside Delhi and on such an application, the NOC will be processed in accordance with law within two weeks from the date of application; and
- (e) Towing/parking charges as well as the procedure will be governed by the directions of this Court passed in paragraphs 19 and 20 in *Seema Chopra (supra)*.



7. Writ petition is disposed of in the aforesaid terms along with pending application.

JYOTI SINGH, J

JANUARY 10, 2025/YA/shivam